

Customer No.	026418
Prepared from FORM PTO-1390	
Transmittal Letter to the United States Designated/Elected Office (DO/EO/US)	
Page 1	
Attorney's Docket No.:	GK-EIS-1104/500593.20097
U.S. Application No.:	10/571,729
International Application No.:	PCT/EP2004/010039
International Filing Date:	SEPTEMBER 09, 2004
Priority Date Claimed:	SEPTEMBER 12, 2003
Title of Invention:	HEADPHONE WITH BEHIND-THE-HEAD HEADBAND
Applicant(s) for (DO/EO/US):	Lars MILDE

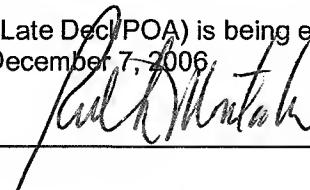
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- [] 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- [X] 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
- [] 3. This express request to begin national examination procedures [35 U.S.C. 371 (f)]. The submission must include items (5), (6), (9), and (21) indicated below.
- [] 4. The US has been elected (Article 31).
- [] 5. A copy of the International Application as filed [35 U.S.C. 371(c)(2)] (*Attached to English translation*)
 - a) [] is attached hereto (required only if not communicated by the International Bureau).
 - b) [] has been communicated by the International Bureau.
 - c) [] is not required, as the application was filed in the United States Receiving Office (RO/US)
- [] 6. An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a) [] is attached hereto
 - b) [] has been previously submitted under 35 U.S.C. 154(d)(4).
- [] 7. Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
 - a) [] are attached hereto (required only if not communicated by the International Bureau).
 - b) [] have been communicated by the International Bureau.
 - c) [] have not been made; however, the time limit for making such amendments has NOT expired.
 - d) [] have not been made and will not be made
- [] 8. An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]
- [X] 9. An EXECUTED Oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]
- [] 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]

Items 11. to 20. Below concern other document(s) or information included:

- [] 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98
- [] 12. An Assignment document for recording. A separate cover sheet (PTO-1595) in compliance with 37 CFR 3.28 and 3.31 is included.
- [] 13. A preliminary amendment
- [] 14. An Application Data Sheet under 37 CFR 1.76
- [] 15. A substitute specification with abstract (attached to the preliminary amendment)
- [] 16. A change of power of attorney and/or address letter
- [] 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
- [] 18. A second copy of the published International Application under 35 U.S.C. 154 (d)(4).
- [] 19. A second copy of the English language translation of the International Application under 35 U.S.C. 154 (d)(4).
- [X] 20. (other items or information) **371 Formalities Letter dated November 3, 2006**

I hereby certify that this correspondence (Late Decl POA) is being electronically filed with the Patent and Trademark Office in Alexandria, VA 22313-1450 on December 7, 2006.


 /Ruth Montalvo Date: 12/07/2006

U.S. Application No. (if known, see 37 C.F.R. 1.50): **10/571,729**
 International Application No.: **PCT/EP2004/010039**

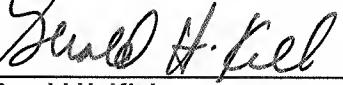
Attorney's Docket No: **GK-EIS-1104/500593.20097**

The following fees are submitted:				Applicant use	Office use only
[] 21 Basic national fee (37 CFR 1.492(a))				\$ 300.00	\$
[] 22 Examination fee (37 CFR 1.492(b)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Articles 33(1)-(4)				\$ 0.00	\$
All other situations.....				\$200.00	
[] 23 Search fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Articles 33(1)-(4)				\$ 0.00	\$
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority				\$100.00	
International Searching Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by IB				\$400.00	
All other situations.....				\$500.00	
				TOTAL OF ABOVE CALCULATIONS:	\$
[] Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (b) or computer program listing filed in an electronic medium) 37 CFR 1.492(j)). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number.)		Rate	
- 100 =	/50 =			X \$ 250.00	\$
Surcharge of \$ 130.00 for furnishing the oath or declaration later than 30 month from the earliest claimed priority date (37 CFR 1.492(e))					\$
Claims	Number Filed		Number Extra	Rate	
Total Claims:	9	- 20	0	X \$ 50.00	\$
Independent Claims:	1	- 3	0	X \$ 200.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$ 360.00	\$
				TOTAL OF ABOVE CALCULATIONS:	\$
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date [37 CFR 1.492(e)]				+ \$130.00	
				TOTAL OF ABOVE CALCULATIONS:	\$130.00
[] Applicant claims Small Entity Status [See 37 CFR 1.27] Reduction by ½ for filing by small entity				-	
				SUBTOTAL:	\$130.00
Processing fee of \$130.00 for furnishing the English Translation later than [] 20 [] 30 months from the earliest claimed priority date [37 CFR 1.492(f)]				+ \$	
				TOTAL NATIONAL FEE:	\$130.00
Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (PTO-1595) [37 CFR 3.28, 3.31]. \$ 40.00 per property				+ \$	
				TOTAL FEE(S):	\$130.00
				AMOUNT TO BE REFUNDED	\$
				AMOUNT TO BE CHARGED	\$

(Please note the filing fee is based on the claims in the Preliminary Amendment)

- a) [] Check in the amount of \$.00 to cover the above fees is enclosed.
- b) Please charge my Deposit Account No 50-1529 in the amount of \$ 130.00 to cover the fee..
- c) The Commissioner is hereby authorized to charge any additional fees required with this submission or to credit any overpayment to Deposit Account No: 50-1529.)
- d) [] Fee are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 36 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:		Signature:	
Gerald H. Kiel, Esq. Reed Smith LLP (Customer No. 026418) 599 Lexington Avenue New York, NY 10022-7650		Attorney:	Gerald H. Kiel
		Reg. No.:	25,116
		Date:	December 7, 2006